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**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF UTAH**

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CHRISTOPHER JOSEPH TUVELL,  
SHERRY LYNN TUVELL, individually and  
as the heirs of David Christopher Tuvell, and  
THE ESTATE OF DAVID CHRISTOPHER  
TUVELL,

Plaintiffs.

v.

BOY SCOUTS OF AMERICA,  
PROFESSIONAL ASSOCIATION OF DIVE  
INSTRUCTORS ("PADI"), BLUE WATER  
SCUBA, LOWELL HUBER, CORBETT  
DOUGLAS, BOY SCOUTS OF AMERICA  
and GREAT SALT LAKE COUNCIL, INC.,  
BOY SCOUTS OF AMERICA

Defendants.

: **DEFENDANTS BOY SCOUTS OF  
AMERICA, and GREAT SALT LAKE  
COUNCIL INC.'S REPLY TO  
DEFENDANT PROFESSIONAL  
ASSOCIATION OF DIVE  
INSTRUCTORS' CROSS-CLAIM**

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: Case No: 1:12-cv-00128DB

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: Judge Dee Benson

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Defendants Boy Scouts of America and Great Salt Lake Council Inc. (collectively "BSA"), by and through counsel, hereby reply to the Cross-claim of co-defendant Professional Association of Dive Instructors ("PADI") as follows:

1. BSA incorporates and re-alleges the responses provided in their Amended Answer to Plaintiff's Complaint, and denies the remainder of paragraph 1.

2. BSA incorporates and re-alleges the responses provided in their Amended Answer to Plaintiff's Complaint, and denies the remainder of paragraph 2.

3. BSA denies that PADI is entitled to any apportionment of fault to BSA, and incorporates and re-alleges the responses provided in their Answer to Plaintiff's Complaint.

4. Admit.

5. Admit.

6. Admit.

7. BSA incorporates and re-alleges the responses provided in their Amended Answer to Plaintiff's Complaint, and denies the remainder of paragraph 7.

8. BSA denies that PADI is entitled to any apportionment of fault to BSA, and incorporates and re-alleges the responses provided in their Answer to Plaintiff's Complaint.

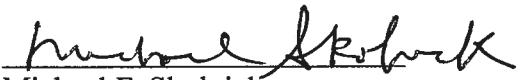
WHEREFORE, BSA respectfully requests that the Court:

1. Deny PADI's claims for allocation of fault with respect to BSA; and

2. Award such other relief as the court deems just and proper.

**DATED** this 28 day of June, 2013.

KIPP AND CHRISTIAN, P.C.

  
Michael F. Skolnick  
Samuel A. Goble  
*Attorneys for Boy Scouts of America and Great Salt  
Lake Council Inc., Boy Scouts of America*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of June, 2013, a true and correct copy of the foregoing **DEFENDANTS BOY SCOUTS OF AMERICA, and GREAT SALT LAKE COUNCIL INC.'S REPLY TO DEFENDANT PROFESSIONAL ASSOCIATION OF DIVE INSTRUCTORS CROSS-CLAIM**, was served upon the following counsel through the U.S. District Court ECF filing system to the following:

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